

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Erik A. Wharton  
and Shari L. Merton,

Debtors.

Erik A. Wharton and Shari L. Merton,

Plaintiffs.

v.

Prosper Marketplace Inc.,

Defendant.

Chapter 13

Bky. No. 23-12910 (PMM)

Adv. No. 24-00078 (PMM)

**ORDER**

AND NOW, the Plaintiff having commenced this adversary proceeding on May 23, 2024;

AND an answer or other responsive pleading having been due on or before June 24, 2024;

AND no answer or responsive pleading having been filed;

AND the Plaintiff having obtained an entry of default on June 25, 2024;

It is hereby **ORDERED** that the Plaintiff shall take appropriate action to prosecute this proceeding (see e.g. F.R.C.P. 55) **on or before August 1, 2024**. Upon failure to prosecute this proceeding, this adversary proceeding **may be dismissed for lack of prosecution** without further notice or opportunity for a hearing.



Date: 7/22/24

**PATRICIA M. MAYER**  
**U.S. BANKRUPTCY JUDGE**